US Army Corps
Of Engineers ®
Nashville and Memphis Districts

Draft Prospectus Submittal Guidance for Wetland Mitigation Banks or Wetland In-Lieu Fee Projects within Tennessee May 26, 2016 (Draft)

A draft prospectus for a wetland mitigation bank or wetland in-lieu fee (ILF) project should contain the information outlined in this guidance document. To help facilitate project review, please provide the information outlined in this document along with an Interagency Review Team (IRT) meeting request. Prior to an IRT site visit, the sponsor will have up to an hour with the IRT to present the proposed project. Based on the initial information provided by the sponsor, the IRT will determine if the project has the potential to provide compensatory mitigation for activities authorized by Department of the Army permits. If the IRT determines the site has potential, a site visit will be scheduled to further evaluate the proposed project.

1. **Owner**. Identify the bank/ILF sponsor, landowners, and any agent for the sponsor.

2. **Agent**. Identify consultants or experts to be involved in design of the compensation site, and list their qualifications and experience in designing and implementing mitigation projects.

3. **Project Location**. Identify the project area in acres and location from the nearest intersection of roads. List the nearest town, county, state, HUC-8 watershed, HUC-12 watershed, ecoregion (Level III) and provide project coordinates in decimal degrees (NAD 83).

4. **Access to Property**. Provide written permission from the property owner to access the proposed mitigation site.

5. **Project Goals**. Describe the purpose and goals of the project. Provide a description of any physical, chemical, and/or biological degradation occurring within the proposed project area. The purpose and goals should address improving specific physical, chemical, and/or biological functions at the site.

6. **Project Objectives**. Describe how the goals or correction of the "problem(s)" will be achieved. The objectives will be more specific and should be quantitative.

7. **Site Constraints**. Describe constraints that would limit the restoration potential of the project. This should include a description of any watershed, physical, chemical, or biological constraints that would limit upland buffer width, construction methodology, site protection, wetland function, etc. Examples of constraints include, but are not limited to: adjacent landuse, roadways, utility lines, stormwater outfalls, liens, easements, or encumbrances on the property, inability to acquire property and/or long-term protection, presence of threaten or endangered species (state and federal), and historic properties. Identify any portion of the project that would occur on public lands and the public entity that owns the land.

8. **Wetland Assessment**. Provide a wetland assessment that will accurately document the baseline condition and/or function of any existing wetlands on the project site and summarize the data in a table. Preferred assessment methodologies include Tennessee Rapid Assessment Methodology (TRAM), applicable Hydrogeomorphic (HGM) assessment methodology, Tennessee Valley Authority-Rapid Assessment Methodology (TVA-RAM), Floristic Quality Index, or other IRT approved assessment methods. If existing conditions vary within the project area, then an assessment needs to be completed for each physiognomically or structurally differing wetland area within the project site to accurately document baseline conditions. If the TRAM is used, please contact TDEC[1] for the latest version.

9. **Maps**.

a. Provide a plat or land ownership map and digital shapefile or KMZ file.

b. Provide a map showing the estimated boundaries of existing aquatic resources on the project site (planning level of detail).

c. Provide a NRCS soil map with the boundary of the proposed wetland mitigation site.
- Include a table identifying the soil taxonomy for each soil type where proposed wetland mitigation activities will occur.

d. Provide a National Wetlands Inventory (NWI) map with the site boundary clearly identified. See www.nwi.fws.gov for available maps.

e. Provide a USGS topographic map and a map with recent aerial imagery with the following information/layers included on each:
- Boundaries of the proposed wetland mitigation site;
- Locations of soil test pits (latitude and longitude in decimal degrees);
- Clearly identified areas within the project site labeled by proposed mitigation approach (e.g. re-establishment, rehabilitation, enhancement, establishment, preservation, etc);
- Transportation Layer; and
- Maintained easement locations (e.g. powerline ROW, sewerline easements, pipeline easements).

f. Provide historical aerial imagery overlain with proposed project boundaries, including at least one image per decade throughout the available period of record.

g. Provide a map of the proposed bank service area that depicts the location of the bank site, county boundaries, and major municipalities. (*Mitigation Banks only*).

[1] TDEC's email contact information - water.permits@tn.gov

10. **Site Photos**. Provide photographs of each mitigation area within the proposed project site. Provide a photograph location map that clearly identifies the location and orientation of the photographs.

11. **Baseline Conditions**. Prepare a BRIEF narrative that describes:

a. Proposed service area (mitigation bank), or identify the advanced credit service area associated with the proposed wetland in-lieu fee project.

b. Provide a narrative overview of the project describing the existing condition within the watershed and the proposed project site. List and describe all site selection criteria that were used to identify the proposed project. Site selection criteria may include watershed plans, State Wildlife Action Plans prepared for the watershed, plans under Section 319 Clean Water Act grants, and any other watershed scale assessments.

c. Estimation of acreage for the entire project site and wetlands within the project site.

d. Sources of hydrology (e.g. groundwater, overbank flooding, surface runoff) that exist at the project site. Include in the description any existing hydrologic impairments (e.g. ditching, drains, levees) that contribute to the current baseline conditions.

> Note that in most cases, the project sponsor will be expected to monitor and verify anticipated sources of hydrology during the baseline data collection and requisite monitoring phases.

e. Current wetland habitat Cowardin classification types (with approximate acreages) within the project site and a brief discussion of the current land use, HGM classification, and dominant plant species (by vegetative stratum) identified throughout the site.

f. Adjacent land uses. Discuss reasonable expected development for the site (if bank or ILF activities were not implemented) and the surrounding area.

12. **Proposed Mitigation Approach**.

a. *Mitigation Approach*. Describe the proposed mitigation approach for each area within the project site that will be considered in the mitigation plan (establishment, re-establishment, rehabilitation, enhancement, preservation – list separately). This description should be accompanied by a list presented in a table and organized by proposed mitigation approach, type, and area.

b. *Functional Lift*. Identify the projected increase in specific wetland functions above the baseline levels. Use the information collected during the baseline assessment to describe how the proposed project will improve wetland functions within each area. Provide the projected assessment scores in a table. Describe the target wetland Cowardin, HGM, and ecological

classification[2]. Describe slope, size, and physiognomy of the upland buffer within the project site.

c. Identify a reference site of the same HGM class and provide a brief description of the site (HGM class, dominant species, ecological classification, soil description, watershed size, site coordinates, etc.)

13. **Site Protection**. Provide proposed legal arrangements and instrument, including site ownership that will be used to ensure the long-term protection of the compensatory mitigation project site. The site protection mechanism must provide long-term protection of the compensatory mitigation site and to the extent appropriate and practicable, prohibit incompatible uses that might otherwise jeopardize the objectives of the compensatory mitigation project. Prohibited uses may include but are not limited to:
    - Clearing, cutting, and mowing of native vegetation;
    - Earthmoving, grading, filling, topography change;
    - Construction of permanent or temporary structures;
    - Mining, drilling;
    - Draining, diking;
    - Diverting or affecting the flow of surface or subsurface waters;
    - Applying herbicides or pesticides for reasons other than controlling invasive species;
    - Grazing or use by domesticated animals;
    - Use of off-road vehicles and motor vehicles; and
    - Utility lines.

14. **Long-Term Management**. Identify the proposed ownership arrangements and long-term management strategy for the mitigation bank or in-lieu fee project sites, including potential easement holders (e.g. land trusts, watershed groups, land conservation organizations, etc.).

15. **Historic Properties**. Provide a statement regarding the presence of cultural, archaeological, and/or historic resources. The information should include the name of the resources consulted, a website printout, and/or a survey report). Information regarding cultural resources and the National Historic Preservation Act can be reviewed at the National Park Service's website: http://www.nps.gov/nr/. It is not necessary to conduct a Phase I historic resources survey at this time.

16. **Threatened and Endangered Species**. Provide a discussion of any existing (state or federal) threatened or endangered species and/or their critical habitat known to exist on or near the site and cite the source of this information as well as the last year the population was documented. It is not necessary to conduct a listed species survey at this time.

---

[2] NatureServe and Tennessee Department of Environment and Conservation. 2016. Tennessee Wetlands: Ecological Reference Wetland Classification and Associated Hydrogeomorphology. Manuscript in preparation.

Natureserve. 2016. NatureServe Explorer: An online encyclopedia of life [web application]. Version 7.0. NatureServe, Arlington, VA. U.S.A. http://explorer.natureserve.org